

MESSAGE NO: 1054303 MESSAGE DATE: 02/23/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE: AFF-Affirmative

FR CITE: 76 FR 9749 FR CITE DATE: 02/22/2011

REFERENCE MESSAGE #
(s): 9229201, 1013314

CASE #(s): A-570-849

EFFECTIVE DATE: 02/22/2011 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIMINARY DETERMINATION OF CIRCUMVENTION OF ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-849)

1. ON FEBRUARY 22, 2011, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS NOTICE OF AN AFFIRMATIVE PRELIMINARY DETERMINATION OF CIRCUMVENTION OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-849). SEE 76 FR 9749.

2. THE PRODUCTS COVERED BY THIS CIRCUMVENTION INQUIRY ARE THOSE:

A) CONTAINING 0.0008 PERCENT OR MORE BORON, BY WEIGHT;

B) NOT MEETING ALL THREE OF THE FOLLOWING CRITERIA: (I) AN ALUMINUM LEVEL OF 0.02 PERCENT OR GREATER, BY WEIGHT; (II) A RATIO OF 3.4 TO 1 OR GREATER, BY WEIGHT, OF TITANIUM TO NITROGEN; AND (III) A HARDENABILITY TEST (I.E., JOMINY TEST) RESULT INDICATING A BORON FACTOR OF 1.8 OR GREATER;

C) OTHERWISE MEETING THE DESCRIPTION OF THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA.

THE MERCHANDISE COVERED BY THIS INQUIRY IS CURRENTLY CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER ITEM NUMBERS 7225.40.3050, 7225.99.0090, 7226.91.5000, AND 7226.99.0180. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE PRODUCTS COVERED BY THE CIRCUMVENTION INQUIRY IS DISPOSITIVE.

3. THE DEPARTMENT OF COMMERCE HAS PRELIMINARILY DETERMINED THAT ENTRIES OF MERCHANDISE DESCRIBED IN PARAGRAPH 2 ABOVE ARE COVERED BY THE

ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA. THEREFORE, FOR ALL ENTRIES OF SUCH MERCHANDISE, REGARDLESS OF PRODUCER, CBP SHALL SUSPEND LIQUIDATION OF SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER APRIL 23, 2010, THE DATE OF THE PUBLICATION OF THE INITIATION OF THE CIRCUMVENTION INQUIRY (SEE 75 FR 21241). FOR EACH SUCH ENTRY, IN ACCORDANCE WITH ESTABLISHED POLICIES AND PROCEDURES, CBP SHALL REQUIRE CASH DEPOSITS IN ACCORDANCE WITH THOSE PREVAILING AT THE TIME OF ENTRY FOR THE EXPORTER.

NOTE: THIS INSTRUCTION COVERS MERCHANDISE REGARDLESS OF PRODUCER. ON 08/12/2009, COMMERCE PUBLISHED ITS FINAL DETERMINATION OF AFFIRMATIVE CIRCUMVENTION WITH RESPECT TO CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO CERTAIN PRODUCTS PRODUCED BY TIANJIN IRON AND STEEL CO., LTD. AND/OR IMPORTED BY TOYOTA TSUSHO AMERICA, INC. (SEE MESSAGE 9229201, DATED 08/17/2009).

4. ENTRIES DESCRIBED IN PARAGRAPH 3 THAT ARE SET FOR LIQUIDATION SHOULD BE UNSET IMMEDIATELY. CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED. NOTE THAT MESSAGE NUMBER 1013314, DATED 01/13/2011, REMAINS IN EFFECT.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:SB).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party